UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,177	06/24/2003	Altti Pekka Henrik Vetelainen	857.0036.U1(US)	1496

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EXAMINER
ALLEN, WILLIAM J

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3625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _02 July 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-14 and 16-18_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-14 and 16-18_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Prosecution History Summary

Claims 1-14 and 16-18 are pending and rejected as set forth below.

Response to Arguments

Applicant's arguments filed 7/2/2007 have been fully considered but they are not persuasive.

Bishop teaches a system and method for completing electronic transactions utilizing a digital wallet interacting with merchant sites (see at least: abstract, 0015, Fig. 2 and 5-8). As cited in the previous action, Bishop teaches displaying a data entry field during an electronic transaction (see at least: Fig. 8 (note #804), 0065), displaying a selectable icon in the system tray that provides the user access to an electronic wallet, and further facilitates the transfer of data into the data entry field, in response to user selection of the icon (see at least: 0015, 0057, 0059, 0061, 0063, 0065, Fig. 5 (#502), Fig. 8). Bishop merely lacks the displaying of the icon *in response to user selection of the data entry field*. This deficiency is remedied by Martinez, which teaches in response to the selection or "activation" of a field in the web form, displaying a selectable web pop-up dialogue box analogous to the selectable icon (see at least: 0021-0023, 0053, Fig. 4-6).

In other words, Bishop teaches the displaying of an icon that provides access to an electronic wallet and facilitates the transfer of user information into various data fields. Martinez teaches where the actual selection of a data field results in the display of a selectable graphic, that graphic facilitating the transfer of information into the data fields. The Martinez reference is

relied upon solely to show how the selection of a data field can trigger the appearance of a

selectable graphic to the user. In this regard, the triggering mechanism of Martinez is clearly

applicable in Bishop. When the teachings of Martinez are combined with the teachings of

Bishop, the combination would result in the icon of Bishop (which facilitates access to the wallet

application) being displayed as a result of the user triggering that display through the selection of

a data field. Furthermore, not only would this combination have been obvious to one of ordinary

skill in the art as cited in the previous action, one of ordinary skill in the art also would recognize

that the features are merely the application of known prior art elements in a predictable manner.

In other words, the missing feature was taught and known at the time of invention and would

have been readily used in a predictable way.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1.　　**Claims 10-11 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Regarding claims 10-11, the Examiner notes that Applicant's most recent amendment appears misdescriptive of Applicant's invention. Claims 10-11 recite where the automatic display of the icon is *in response to* the availability of the wallet application and the wallet application being enabled or disabled. The Examiner points out that, in light of the specification, it appears that the displaying of the icon is not truly in response to the features noted in claims 10 and 11, but rather, merely conditional on those features.

Further in this regard, it is not clear to the Examiner how the display is in response to both a user selection of a data field and either (a) the availability of the application or (b) the application being enabled or disabled, as it appears that the displaying is a function of the selection of the data field but dependent on the application being available or enabled/disabled.

Regarding claim 17, line 4 of claim 17 recites the term "the data entry field", however, applicant's recent amendment neglected to correct for the lack of antecedent basis. Thereby, there is insufficient antecedent basis for this limitation in the noted claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   **Claims 1-14 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Bishop et al . (US 20040243520) in view of Martinez et al. (US 20030159071).

Regarding claim 1, Bishop teaches a system and method for completing electronic

transactions utilizing a digital wallet interacting with merchant sites (see at least: abstract, 0015,

Fig. 2 and 5-8). More specifically, Bishop teaches *displaying at least one data entry field to a*

user during an electronic transaction (see at least: Fig. 8 (note #804), 0065). Bishop also teaches

displaying a user selectable icon in the system tray that *provides, to the user, access to an*

electronic wallet application, for the transfer of data into the data entry field, in response to user

selection of the icon (see at least: 0015, 0057, 0059, 0061, 0063, 0065, Fig. 5 (#502), Fig. 8).

Though Bishop teaches all of the above, Bishop does not expressly teach automatically

displaying the selectable icon *in response to user selection of the data entry field.*

In the same field of endeavor, Martinez teaches a convenient and secure system and method for

access to and population of password protected web site forms (see at least: abstract). More

specifically, upon the selection or "activation" of a field in the web form, Martinez displays a

selectable web pop-up dialogue box (see at least: 0021-0023, 0053, Fig. 4-6). The wallet pop-up

allows the user to enter to enter a master key value and obtain access to the wallet application, thereby allowing the user to add new user names and/or passwords to the wallet application so that the wallet application can automatically populate such fields in web forms (see at least: 0056-0059). The Examiner additionally notes that the wallet pop-up box acts analogously to the icon of Bishop as it provides the user access to the wallet application. Thereby, Martinez effectively teaches automatically displaying a selectable graphic *in response to user selection of the data entry field.*

It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the invention of Bishop to have included automatically displaying the selectable icon *in response to user selection of the data entry field* as taught by Martinez in order to provide quick and easy access to any number of password-protected computer applications and web sites in a secure fashion without adding to the user cognitive load through an overlaid wallet pop-up field, the wallet pop-up field providing access to the wallet application (see at least: Martinez, 0021).

Regarding claims 2-14, Bishop in view of Martinez teaches:

(2) *wherein the wallet application includes a secure collection of personal data* (see at least: Bishop, abstract, Fig, 1B, 0012, 0031; Martinez, abstract, 0021-0023).

(3) *wherein at least some of the personal data is used for completing an electronic commerce transaction* (see at least: Bishop, abstract, 0012-0013).

(4) *wherein the terminal is an Internet terminal* (see at least: Bishop, 0002, 0030, 0034).

(5) *wherein the terminal is a handheld mobile Internet terminal* (see at least: Bishop, 0030, 0097; Martinez, 0015,). Despite this teaching, the Examiner notes that it is not regarded as

inventive to merely make an old device portable or movable without producing any new and

unexpected result [See: I n re Lindberg, 93 USPQ 23 (CCPA)].

(6) *wherein the remote destination is an electronic commerce server* (see at least: Bishop,

abstract, 0012-0013, 0060, Fig. 5-8).

(7) *wherein steps a), b), and c) are provided by a browser application* (see at least:

Bishop, 0010, 0039, Fig. 5-8; Martinez, 0012, 0024, 0042, 0047).

(8) *wherein the option is a selectable device or icon* (see at least: Bishop, 0015, 0057,

0059, 0061, 0063, 0065, Fig. 5 (#502), Fig. 8).

(9) *further comprising the step of displaying the selectable device or icon in a position*

adjacent the data entry field. The Examiner notes that claims that read on prior art except with

regard to the positioning and arrangement of parts are held unpatentable if the shifting of those

parts would not have modified the operation of the device [*In re Japikse*, 181 F.2d 1019, 86

USPQ 70 (CCPA 1950)].

(10) and (11) *automatically displaying a user selectable icon is in response to:*

(10) *the wallet availability of the wallet application*

(11) *the wallet application being enabled or disabled*

(see at least: Bishop, 0015, 0053, 0054, 0057, 0079, 0083).

The Examiner notes that if the application of Bishop is not initialized (and thereby

not enabled nor available) the icon will not appear; therefor, the icon is displayed

automatically when the application has been initialized and is thus available and enabled.

Martinez is applicable in a similar fashion.

(12) *wherein step c) involves the successful completion of a security routine before access to the wallet application is granted* (see at least: Martinez, 0053-0059, Fig. 4 and 6).

(13) *automatically transferring data from the electronic wallet application into the data entry field, in response to the user selection of the option* (see at least: Bishop, abstract, 0015, Fig. 2 and 5-8; Martinez, abstract, 0053-0059).

(14) *providing for user selectable transfer of data from the electronic wallet application into the data entry field, in response to the user selection of the option* (see at least: Bishop, 0065).

Regarding claims 16 and 17, these claims closely parallel claim 1 and are thereby rejected for at least the same rationale.

3.   Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop in

view of Martinez in further view of Atsmon (US 6607136).

Regarding claim 18, Bishop teaches a system and method for completing electronic

transactions utilizing a digital wallet interacting with merchant sites (see at least: abstract, 0015,

Fig. 2 and 5-8). More specifically, Bishop teaches *displaying at least one data entry field to a*

user during an electronic transaction (see at least: Fig. 8 (note #804), 0065). Bishop also teaches

displaying a user selectable icon in the system tray that *provides, to the user, access to an*

electronic wallet application wallet application, for the transfer of data into the data entry field,

in response to user selection of the icon (see at least: 0015, 0057, 0059, 0061, 0063, 0065, Fig. 5

(#502), Fig. 8). Though Bishop teaches all of the above, Bishop does not expressly teach

automatically displaying the selectable icon *in response to user selection of the data entry field.*

In the same field of endeavor, Martinez teaches a convenient and secure system and method for

access to and population of password protected web site forms (see at least: abstract). More

specifically, upon the selection or "activation" of a field in the web form, Martinez displays a

selectable web pop-up dialogue box (see at least: 0021-0023, 0053, Fig. 4-6). The wallet pop-up

allows the user to enter to enter a master key value and obtain access to the wallet application,

thereby allowing the user to add new user names and/or passwords to the wallet application so

that the wallet application can automatically populate such fields in web forms (see at least:

0056-0059). The Examiner additionally notes that the wallet pop-up box acts analogously to the

icon of Bishop as it provides the user access to the wallet application. Thereby, Martinez

effectively teaches automatically displaying a selectable graphic *in response to user selection of the data entry field.*

It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the invention of Bishop to have included automatically displaying the selectable icon *in response to user selection of the data entry field* as taught by Martinez in order to provide quick and easy access to any number of password-protected computer applications and web sites in a secure fashion without adding to the user cognitive load through an overlaid wallet pop-up field, the wallet pop-up field providing access to the wallet application (see at least: Martinez, 0021).

Additionally, though Bishop does indeed teach the enablement of a wallet application and the subsequent display of a system tray icon to allow easy access to the wallet for use in a browser (see at least: 0056-0057, 0059), Bishop lacks an explicit statement of *automatically detecting whether a wallet application is enabled* and *displaying an icon, for user selection, if a wallet application is enabled, and not displaying the icon if the wallet application is not enabled.* It is of important note, however, that one of ordinary skill in the art would recognize that important functionalities associated with the Windows Operating System exist specifically regarding icons appearing in the system tray. A user of such systems traditionally has the ability to enable/disable various applications, and subsequently affect the appearance of associated system tray icons when available. To reiterate, though these functionalities are typical of the Windows OS and are implicitly implied by Bishop, there is merely no explicit statement of such functions.

In the same field of endeavor, Atsmon teaches the use of a smart e-wallet system for use in electronic transactions (see at least: col. 46 lines 6-19, col. 66 lines 30-40, Fig. 29). More specifically, Atsmon teaches the use of a system tray icon when the application is active. The user of the e-wallet application can turn off or close the application, effectively causing the icon to disappear (see at least col. 38 lines 7-9, col. 69 lines 1-13). In other words, when the user opens or closes (i.e. enables or disables) the application, the CPU automatically detects that the application has been enabled or is not enabled and displays (or does not display) the icon accordingly. Thereby, Atsmon teaches *automatically detecting whether a wallet application is enabled* and *displaying an icon, for user selection, if a wallet application is enabled, and not displaying the icon if the wallet application is not enabled.*

It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the invention to have included *automatically detecting whether a wallet application is enabled* and *displaying an icon, for user selection, if a wallet application is enabled, and not displaying the icon if the wallet application is not enabled* as taught by Atsmon in order to provide a system that simplifies the user experience while making online shopping faster and more convenient (see at least: col. 46 lines 17-19, col. 66 lines 30-34).

Conclusion

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this
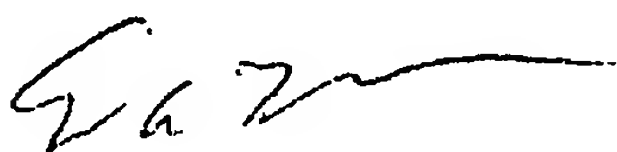
final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to William J. Allen whose telephone number is (571) 272-1443.

The examiner can normally be reached on 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeff A. Smith can be reached on (571) 272-6763. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

William J. Allen
Patent Examiner
August 20, 2007

Mark Fadok

Primary Examiner